

**STATE OF CALIFORNIA
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF BUSINESS OVERSIGHT**

TO: 99Designs.com
2201 Broadway
Suite 815
Oakland, California 94612

Webhost: Ascio Technologies, Inc.
Orestads Boulevard 108, 10. Sal.th.
2300 Copenhagen S,
Denmark

**DESIST AND REFRAIN ORDER
(Violation of Financial Code section 17200)**

The Commissioner of Business Oversight finds that:

1. At all relevant times herein, 99Designs.com (99Designs) is an entity of indeterminate origin with its principal place of business at 2201 Broadway, Suite 815, Oakland, California 94612.
2. At all relevant times herein, 99Designs.com is a website hosted by Ascio Technologies, Inc.
3. 99Designs engages in the business of an escrow agent over the Internet at <http://99Designs.com> by offering the following terms on its website:
 - (a) “We provide a marketplace (‘Marketplace’) where Customers can submit to Designers, for a fee, simple and swift-to-complete design projects (Tasks);”
 - (b) “Prior to submitting a Task, Customers shall prepay for one or more Tasks. Customers Payments for Tasks may be prepaid in bulk quantities and any prepaid but unused amounts shall become Task credits to be applied to future Task submittals;”
 - (c) “We will monitor the Marketplace to ensure that every Task is claimed by a Designer in a timely manner;”
 - (d) “When a Designer completes a Task, such Designer will upload the Task Delivery to the Site;” and

1 (e) “A Designer is only paid if and when Task Delivery is accepted by Customer. When a
2 Customer accepts Task Delivery from a Designer, Designer’s 99designs Account is credited with the
3 design fee.”

4 4. The Commissioner of Business Oversight has not issued a license to 99Designs to
5 conduct business as an escrow agent, as required under Financial Code section 17200.

6 Based on the foregoing findings, the Commissioner of Business Oversight is of the opinion
7 that 99Designs.com is engaged in the business of an escrow agent without obtaining a license from
8 the Commissioner of Business Oversight, in violation of Financial Code section 17200.

9 Pursuant to Financial Code section 17416, 99Designs.com is ordered to desist and refrain
10 from engaging in the business of receiving escrows for deposit or delivery without first obtaining a
11 license from the Commissioner of Business Oversight.

12 This Order is necessary, in the public interest, for the protection of investors and
13 consistent with the purposes, policies, and provisions of the Escrow Law.

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15 Dated: June 12, 2018
16 Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

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18 By _____
19 MARY ANN SMITH
20 Deputy Commissioner
21 Enforcement Division
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